FILED

May 02, 2014

Clerk, U.S. Bankruptcy Court

Below is an Order of the Court.

FRANK R. ALVEY
U.S. Bankruptcy Judge

#### IN THE UNITED STATES BANKRUPTCY COURT

#### FOR THE DISTRICT OF OREGON

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THIS MATTER came before the Court on April 24, 2014 on Debtors-in-Possession, Michael E. and Karin M. Noonan's ("Debtors") Motion for Entry of Interim and Final Orders Authorizing Use of Cash Collateral ("Motion") (Docket No. 5), for interim authority to use cash collateral, it appearing due and adequate notice under the circumstances having been given, and the Court having heard the representations and argument of counsel, and being otherwise fully advised,

The Court finds:

A. Debtors will suffer immediate and irreparable harm if they are not permitted to use up to \$142,721.14 of Cash Collateral on an interim basis for the period from April 23, 2014 through and including May 3, 2014.

Page 1 of 7 - FIRST INTERIM ORDER AUTHORIZING USE OF CASH COLLATERAL AND GRANTING ADEQUATE PROTECTION (VBC - April 30, 2014 (4:46pm))

B. The following creditors: Rabo Agrifinance, Inc. ("RAF"); Cooperative Regions of Organic Producer Pools ("CROPP") (Debtors believe this creditor's claim is subject to offset(s) which exceed amount of claim); Zupan Farm Partnership; and the Internal Revenue Service (claim of lien is disputed for failure to file a notice of lien as of the Petition Date); the Oregon Department of Revenue (claim of lien is disputed for failure to file notice of lien as of the Petition Date) (collectively the "Lien Creditors" or each a "Lien Creditor"), assert security interest/liens upon the Cash Collateral as of the Petition Date:

UCC Lien Creditor	Est. Amount
Rabo Agrifinance, Inc. 12443 Olive Blvd, Suite 50 St. Louis, MO 63141	\$11,114,975.00
Cooperative Regions of Organic Producer Pools One Organic Way La Farge, WI 54639	\$77,580.00
Zupan Farm Partnership 9230 Hopedale Ct. Portland, OR 97229	\$130,000.00

NOW, THEREFORE, it is ORDERED as follows:

- 1. Debtors are authorized to use Cash Collateral of \$142,721.14 for the period from April 23, 2014 through and including May 3, 2014 in accordance with the attached Budget (**Exhibit 1**). Debtors' authority to use Cash Collateral is limited to the amounts and uses of cash collateral as set forth in the Budget; together with a 10% cumulative variance.
- 2. As adequate protection, the Lien Creditors are each granted a replacement lien upon all postpetition assets of the Debtors which are of the same kind as Debtors' prepetition collateral including the 2014 potato and barley crops, with such liens to

retain the same priority vis-à-vis other Lien Creditors as existed on the Petition Date.

The Court reserves the right to eliminate or modify such replacement lien as to the 2014 potato crop and barley crop for reasonable cause upon request of any interested party after notice and opportunity to object is provided to the Lien Creditors, the U.S.

Trustee, the creditors committee (or alternatively the 20 largest unsecured creditors if

there is no creditors committee) and all parties who have requested special notice.

- 3. In the event any of the Lien Creditors determine that it is not adequately protected, such Lien Creditor may seek to terminate cash collateral usage on shortened time, but not less than ten (10) business days notice of the Motion shall be provided to Debtors prior to any hearing thereon. While Debtors agree that they shall not oppose any order shortening time sought by a Lien Creditor (so long as not less than ten (10) business days notice is provided), Debtors reserve all of their rights to oppose any such application.
- 4. If, notwithstanding the adequate protection provided by the terms of this Order, the Lien Creditors, or any of them, have a claim allowable under 11 U.S.C. § 507(a)(2) arising from the stay of action against property of Debtors under 11 U.S.C. § 362, from the use, sale or lease of such property under 11 U.S.C. § 363, or from the granting of the replacement lien granted herein, then such Lien Creditor's Claim under 11 U.S.C. § 507(a)(2) shall have priority over every other claim under such subsection as provided by 11 U.S.C. § 507(b).
- 5. Nothing in this Order shall be construed to (a) prejudice a right of any party in interest (including Debtors) to contest the validity, priority or extent of the liens or security interests of any party in any collateral or in the proceeds thereof, as of, on or after the Petition Date; (b) grant a security interest in the debtors-in-possession or

Page 3 of 7 - FIRST INTERIM ORDER AUTHORIZING USE OF CASH COLLATERAL AND GRANTING ADEQUATE PROTECTION (VBC - April 30, 2014 (4:46pm))

trustee's avoidance powers; (c) convert any pre-petition obligations into post-petition obligations; (d) require payment of any obligations on confirmation of a plan of reorganization; (e) alter, improve, limit or impair the rights, if any, of parties claiming to have rights of reclamation against Debtors, or their assets or (f) enhance the secured

position of any creditor as of the Petition Date.

6. In the event of the appointment of a Chapter 11 trustee, or conversion or dismissal of the case, the Debtors' right to use Cash collateral shall terminate, unless otherwise ordered by the Court; provided, however, that any subsequent Chapter 11 trustee or Chapter 7 trustee shall be bound by paragraph 2, herein. In the event of a material breach of the cash collateral order, which is not cured by Debtors within 10

days of written notice thereof to the Debtors, Debtors' right to use cash collateral will

terminate, unless otherwise ordered by the Court after notice and hearing.

- 7. Debtors are authorized to execute and deliver to the Lien Creditors such instruments considered by the Lien Creditors to be necessary or desirable to perfect the security interests and liens given to the Lien Creditors herein, and the Lien Creditors are authorized to receive, file and record the same.
- 8. For the period from April 23, 2014 through May 3, 2014, Debtors shall provide each Lien Creditor who so requests a weekly reconciliation report no later than one week in arrears, which report will compare actual cash receipts and disbursements to the budgeted amounts. The form of the weekly comparison report of actual results to budgeted results will be in the same form as the Interim Budget attached to this Order. The comparison report will be delivered to the Lien Creditors on Tuesday of each week and shall reflect results from the prior week on a Sunday to Saturday basis, with the first report due on May 6, 2014 for the post-petition period ending May 3, 2014. In addition

to the foregoing, commencing on May 7, 2014, and on every other Wednesday

thereafter, Debtors will provide the Lien Creditors a "Position Report" showing the

present status of Debtors' assets, signed by Debtors as true and correct, in the same

form as Debtors were providing RAF before the bankruptcy petition was filed.

9. Nothing contained in this Order shall constitute a determination as to the

amount, validity or priority of any pre-petition obligation, security interest or lien and all

rights of parties in interest to claim that any pre-petition lien or security interest in

Debtors' property is unperfected, unenforceable, invalid or voidable, are reserved.

Additionally, nothing in this Order shall constitute an admission or acknowledgment by

Debtors that any party has a valid or perfected lien in the cash of Debtors now existing

or subsequently received, and the references herein to "Cash Collateral" are without

prejudice to all rights, defenses and claims of Debtors to contend that any party does

not have a perfected lien or security interest in such cash.

10. Debtors shall not sell "cull cattle" or any of the cows or heifers without first

giving the Lien Creditors a minimum of three (3) business days notice. The Lien

Creditors shall retain their rights to object to such sales and/or object to use of

proceeds to the extent inconsistent with the Interim Budget.

11. Without limiting Debtors' rights to make cash on delivery payments to any

creditor for goods or services purchased within the scope of the Interim Budget, shall

have the authority to make cash on delivery payments for purchases of product from

CROPP. Debtors may expend sums up to the maximum amounts shown in the line

items within the Interim Budget for "haylage" and "alfalfa hay" for purchases of such

product from CROPP.

Page 5 of 7 - FIRST INTERIM ORDER AUTHORIZING USE OF CASH COLLATERAL AND GRANTING ADEQUATE PROTECTION (VBC - April 30, 2014 (4:46pm))

- 12. CROPP's customers are allowed to take delivery of up to 75 tons of hay that is stored by Debtors and labeled as CROPP's hay prior to the preliminary hearing scheduled for May 2, 2014. If, however, it is subsequently determined that CROPP does not have an ownership interest in such hay, CROPP shall promptly pay the estate the contract price (between Debtors and CROPP) for such hay.
- 13. To the extent RAF and/or CROPP have made demands on any person owing money to the Debtors to pay with checks issued jointly to Debtors and/or such creditors, RAF and CROPP shall: (1) promptly send written retractions of each such demand or (2) shall authorize the recipients of such prior demands to authorize such persons to make their payments directly to the Debtors.
- operations and/or sale of farm and dairy assets will be deposited in the Debtors' "Farm" DIP account. Once Debtors have established the Farm DIP account, they shall promptly notify the Lien Creditors of the identity of the depository bank holding the Farm DIP account. Nothing in this Order shall prohibit Debtors from establishing additional DIP accounts for "non-farm" purposes, such as for holding and disbursing the funds applicable to Debtors' draws and reasonable and necessary living expenses, and for segregating property rents for those secured creditors who hold liens in the rents from Debtors' residential rental properties. Without limiting the replacement lien granted to Lien Creditors elsewhere in this Order, all amounts deposited in the Debtors' DIP account(s) which are proceeds of a Lien Creditor's collateral shall be impressed with such Lien Creditor's liens which shall have the same priority as existed on the Petition Date, without prejudice to the Debtors' or other interested parties' rights to challenge the extent, validity and priority of such claimed liens.

15. Upon request, Debtors shall provide the applicable Lien Creditor with copies

of or access to all records generated with respect to the Debtors' DIP account(s),

including without limitation, copies of monthly statements and copies of checks.

16. Prior to the final hearing on Debtors' Motion, the Debtors will provide RAF

and its agents with reasonable access to Debtors' properties and books for purposes of

inspection and copying, during normal business hours, upon 3 business days notice.

17. To the extent that Debtors have insurance covering Debtors' grass and hay

crops, whether growing or in inventory, Debtors will promptly take steps to have RAF

and CROPP added as an additional named insured to the policy coverages.

18. Further hearing and consideration of Debtors' Motion is adjourned to **May 2**,

2014 at 10:00 a.m. before the Honorable Frank R. Alley in Courtroom No. 6, United

States Bankruptcy Court for the District of Oregon, Eugene Division, 405 E 8th

Ave., #2600, Eugene, Oregon.

###

I certify that I have complied with the requirements of LBR 9021-1(a)(2)(A).

PRESENTED BY:

/s/Robert J Vanden Bos

Robert J Vanden Bos OSB #78100 VANDEN BOS & CHAPMAN, LLP 319 S.W. Washington, Suite 520

Portland, Oregon 97204

Telephone: (503) 241-4869

Fax: (503) 241-3731

Of Attorneys for Debtors-in-Possession

First Class Mail:

See Attached List

**Electronic Mail:** 

The foregoing was served on all CM/ECF participants through the Court's Case Management/

Electronic Case File system.

Michael and Karin Noonan Farming Operation Budgets BUDGET #1

CASH COLLATERAL SUMMARY

## Expenses Through 5/3/14

Dairy	\$ 26,433.40
Alfalfa	\$ 30,471.00
Grass	\$ 10,310.24
Overhead	\$ 75,506.50
Total	\$ 142,721.14

# Case 14-61510-fra11 Doc 37 Filed 05/02/14 Michael and Karin Noonan Farming Operation Budgets BUDGET #1

#### **DAIRY BUDGET**

	Δ	pril 20th/	A	pril 27th/		
INCOME	,	April 26th		May 3rd		Total
MILK	\$	47,500.00	\$	47,500.00	\$	95,000.00
cows	\$	-	\$		\$	-
Rental Income - 11597 Spring Lake Road						
(Lender-Sayles)	\$	300.00	\$	300.00	\$	600.00
FUNDING SOURCES:	\$	-	\$	-	\$	-
Crop Loan	\$	-	\$	-	\$	-
Crop Advances	\$	-	\$	-	\$	-
Potatoes/Potato Proceeds:						
(\$500,000.00 available)	\$	-	\$	-	\$	-
2013 Grass Hay: (\$0.00 available)		_	\$	_	\$	_
Pre-Petition A/R: (\$0.00 available)		_	\$	_	\$	_
, , , ,	٧		۲		٧	_
3rd Party Retainer Payment:	_					
(\$150,000.00 available)		-	\$	-	\$	-
TOTAL INCOME	\$	47,800.00	\$	47,800.00	\$	95,600.00
EVENUES	İ					
EXPENSES	,		۲.		۲.	
Land Sales Contract/Sayles	\$	-	\$ \$	-	\$	-
Property Taxes - 11597 Spring Lake	\$ \$	-	\$	<u>-</u>	\$	-
CULL Potatoes	\$ \$	-	\$	<u>-</u>	\$ \$	-
Haylage Alfalfa Hay	<u>ې</u> \$	-	\$		\$	
	۶ \$	4 005 00	\$	6,600.00	\$	6,600.00
Barley Grain ALL West	\$ \$	4,095.00 650.00	\$	4,095.00 650.00	\$	8,190.00 1,300.00
Vet Services	<u>ې</u> \$		\$	131.50	\$	263.00
Excell Dairy	\$ \$	131.50 2,500.00	\$	2,500.00	\$	5,000.00
Bedding	\$ \$	500.00	\$	500.00	\$	1,000.00
Waste MGMNT	\$	92.70	\$	92.70	\$	185.40
American Sanitation	\$	80.00	\$	80.00	\$	160.00
Pacific Power	\$	750.00	\$	750.00	\$	1,500.00
Fuel	\$	1,000.00	\$	1,000.00	\$	2,000.00
Labor	\$	-,000.00	\$		\$	2,000.00
Employer Liability	\$		\$	_	\$	_
Cindy A1 Service	\$	117.50	\$	117.50	\$	235.00
Overhead Expense Allocation	7	117.50	Ť	117.50	\$	-
TOTAL EXPENSES	Ś	9,916.70	\$	16,516.70	\$	26,433.40
	7	2,323.70	_	_5,5_5.76	Ť	20, 100.40
Difference	\$	37,883.30	\$	31,283.30	\$	69,166.60
Running Total:	\$	37,883.30	\$	69,166.60	Ė	,

## Farming Operation Budgets BUDGET #1

#### Alfalfa Budget

	April 20th/		-	April 27th/	
INCOME	April 26th			May 3rd	Total
OV/Sarben	\$	-	\$	-	\$ -
Rental Income - 7751					
Dehlinger Ln (Lender -					
Negrevski)	\$	800.00	\$	800.00	\$ 1,600.00
FUNDING SOURCES:	\$	-	\$	1	\$ -
Crop Loan	\$	-	\$	-	\$ -
Crop Advances		-	\$	-	\$ 1
Potatoes/Potato					
Proceeds: (\$500,000.00		-	\$	-	\$ -
2013 Grass Hay: (\$0.00					
available)	\$	-	\$	-	\$ -
Pre-Petition A/R: (\$0.00					
available)	\$	-	\$	-	\$ -
3rd Party Retainer					
Payment: (\$150,000.00	\$	-	\$	-	\$ -
TOTAL INCOME	\$	800.00	\$	800.00	\$ 1,600.00

EXPENSES					
Land Sales Pymt - Negrvski	\$ 1,260.00	\$	1,260.00	\$	2,520.00
Land Sales Pymt - Negrvski	\$ -	\$	-	\$	-
Property Taxes - 7751					
Dehlinger Ln	\$ -	\$	-	\$	-
Manning -Land Sales Contra	\$ -	\$	-	\$	-
Mitchells - Rent	\$ -	\$	-	\$	-
Ritters - Rent	\$ -	\$	-	\$	-
Viets - Rent	\$ -	\$	-	\$	-
Weyerhauser - Rent	\$ -	\$	-	\$	-
Garrett - Rent	\$ -	\$	-	\$	-
Henzels -Rent	\$ -	\$	-	\$	-
Martins - Rent	\$ -	\$	-	\$	-
Labor				\$	-
Jose Rodriquez	\$ -	\$	-	\$	-
Tim Jayne	\$ -	\$	-	\$	-
Miguel Hernandez	\$ -	\$	-	\$	-
Jaime Vargas	\$ -	\$	-	\$	-
Eliseo Gil	\$ -	\$	-	\$	-
Felipe Galvan	\$ -	\$	-	\$	-
John Horn	\$ -	\$	-	\$	-
James Howard	\$ -	\$	-	\$	-
Josh Jensen	\$ -	\$	-	\$	-
Employer Liability	\$ -	\$	-	\$	-
Vern Jensen/Contract	\$ -	\$	-	\$	-
Fuel	\$ -	\$	500.00	\$	500.00
Grease	\$ -	\$	-	\$	-
Power	\$ 1,090.86	\$	1,909.14	\$	3,000.00
Misc Parts	\$ 1,090.86	\$	1,109.14	\$	2,200.00
Irrigation Assesments	\$ 11,125.50	\$	11,125.50	\$	22,251.00
Twine	\$ 	\$	-	\$	
Barn Rent	\$ 	\$	-	\$	
Overhead Alfalfa Allocation	\$ -	\$	-	\$	-
Overhead Allocation - Other	\$ -	\$	-	\$	-
TOTAL EXPENSES	\$ 14,567.22	\$	15,903.78	\$	30,471.00
DIFFERENCE	/42 757 551	_	/4E 402 =2\	_	(20.074.60)
DIFFERENCE:	\$ (13,767.22)		(15,103.78)	Ş	(28,871.00)
RUNNING TOTAL:	\$ (13,767.22)	\$	(28,871.00)		

#### Alfalfa Fields (by acres) Mikes Field 160 Mitchells 80 30 Negreski Henzels 800 700 Ritter 50 Viets Walsh 48 73.5 Martins 200 Weyerhauser Air Landing Strip 25 Garrett 24.5 TOTAL 2191

2191 acres x 4 = 8764 ton

### Case 14-61510-fra11 Doc 37 Filed 05/02/14 Michael and Karin Noonan **Farming Operation Budgets BUDGET #1**

#### **Grass Fields**

1440 ton @

Mikes Field \$40.00 120 Acres

300 ton @

\$200.00 Weyerhauser 150 Acres **TOTAL** 

270 Acres

**NOTES:** 

**Grass Budget** All Grass expected to go to the Dairy

INCOME	April 20th/ April 26th	AprilL 27th/ May 3rd					Total		
FUNDING SOURCES:									
Crop Loan	\$ -	\$	-	\$	-	\$	-		
Crop Advances	\$ -	\$	_	\$	-	\$	-		
Potatoes/Potato Proceeds:									
(\$500,000.00 available)	\$ -	\$	-	\$	-	\$	-		
2013 Grass Hay: (\$0.00									
available)	\$ -	\$	-	\$	-	\$	-		
Pre-Petition A/R: (\$0.00									
available)	\$ -	\$	-	\$	-	\$	-		
3rd Party Retainer									
Payment: (\$150,000.00	\$ -	\$	-	\$	-	\$	-		
Total Income	\$ -	\$	-	\$	-	\$	-		

EXPENSES	April 20th/ April 26th		pril 27th/ April 30th	May 1st/ May 3rd	Total
Power	\$	348.24	\$ 426.00	\$ 536.00	\$ 1,310.24
Labor	\$	-	\$ -	\$ -	\$ -
Employer Liability	\$	-	\$ -	\$ -	\$ -
Land Sales Contract/Mannir	\$	-	\$ -	\$ -	\$ -
Rent/JWTR	\$	-	\$ -	\$ -	\$ -
Bags	\$	-	\$ -	\$ -	\$ -
Irrigation Assesments	\$	4,500.00	\$ 4,500.00	\$ -	\$ 9,000.00
Twine	\$	-	\$ -	\$ -	\$ -
Fuel	\$	-	\$ -	\$ -	\$ -
TOTAL	\$	4,848.24	\$ 4,926.00	\$ 536.00	\$ 10,310.24
				·	
DIFFERENCE	\$	(4,848.24)	\$ (4,926.00)	\$ (536.00)	\$ (10,310.24)
RUNNING TOTAL:	\$	(4,848.24)	\$ (9,774.24)	\$ (10,310.24)	

#### Michael and Karin Noonan Farming Operation Budgets BUDGET #1

#### **OVERHEAD EXPENSES**

INCOME	-	ril 20th/ oril 26th	 ril 27th/ 1ay 3rd	Total
			 ,	
FUNDING SOURCES:	\$	-	\$ -	
Crop Loan	\$	-	\$ -	\$ -
Crop Advances	\$	-	\$ -	\$ -
Potatoes/Potato Proceeds:				
(\$500,000.00 available)	\$	-	\$ -	\$ -
2013 Grass Hay: (\$0.00				
available)	\$	-	\$ -	\$ -
Pre-Petition A/R: (\$0.00				
available)	\$	-	\$ -	\$ -
3rd Party Retainer Payment:				
(\$150,000.00 available)	\$	-	\$ -	\$ -
TOTAL INCOME	\$	-	\$ -	\$ -

	April 20th/				April 27th/	
EXPENSES		April 26th			May 3rd	Total
Health Insurance		\$	-	\$	-	\$ -
Owner Draw		\$	1,250.00	\$	1,250.00	\$ 2,500.00
Saif		\$	-	\$	2,000.00	\$ 2,000.00
Insurance- All		\$	-	\$	-	\$ -
Bank Service Charge		\$	400.00	\$	400.00	\$ 800.00
Misc		\$	250.00	\$	250.00	\$ 500.00
Utilities/Telephone		\$	1,187.50	\$	1,187.50	\$ 2,375.00
						\$ -
Equipment Rental		\$	250.00	\$	250.00	\$ 500.00
Equipment PYMNTS		\$	-	\$	-	\$ -
Fees trip permists/Reg		\$	600.00	\$	600.00	\$ 1,200.00
Office Expense		\$	250.00	\$	250.00	\$ 500.00
Life Insurance PYMNTS		\$	-	\$	-	\$ -
Professional Fees		\$	-	\$	-	\$ -
Wages (total payroll)		\$	-	\$	47,297.66	\$ 47,297.66
Employer Taxes		\$	-	\$	5,397.59	\$ 5,397.59
Uncashed payroll checks		\$	-	\$	1,689.29	\$ 1,689.29
Walmart Returned Paychecks		\$	-	\$	10,746.96	\$ 10,746.96
Buffy Office Labor		\$	-	\$	-	\$ -
Tanya Office Labor		\$	-	\$	-	\$ -
Employee Liabilities		\$	-	\$	-	\$ -
TOTAL EXPENSES		\$	4,187.50	\$	71,319.00	\$ 75,506.50
DIFFERENCE:		\$	(4,187.50)	\$	(71,319.00)	\$ (75,506.50)
RUNNING TOTAL:		\$	(4,187.50)	\$	(75,506.50)	

#### Allocation:

Dairy	12.12%	\$ 507.71	\$ 8,647.06	\$ 9,154.78
Alfalfa	33.45%	\$ 1,400.66	\$ 23,855.29	\$ 25,255.95
Grass	2.30%	\$ 96.20	\$ 1,638.49	\$ 1,734.70
Grain	34.76%	\$ 1,455.52	\$ 24,789.51	\$ 26,245.03
Potato	17.37%	\$ 727.40	\$ 12,388.65	\$ 13,116.05
Total	100%	\$ 4,187.50	\$ 71,319.00	\$ 75,506.50

#### In re Michael E. and Karin M. Noonan; Chapter 11 Bankruptcy Case No.14-61510-fra11

#### **Debtors:**

Michael E. Noonan Karin M. Noonan 12080 Homedale Road Klamath Falls, OR 97603

#### 20 Largest Unsecured Creditors:

Alsco Inc. PO Box 1330 Red Bluff, CA 96080

Basin Fertilizer Attn: Bill Gaser PO Drawer X Merrill, OR 97633

John Bair Farm & Dairy John Bair, Owner 4960 Lombardy Ln Klamath Falls, OR 97603

Ed Staub & Sons Attn: Brad Staub PO Box 488 Klamath Falls, OR 97601

Excel Dairy Svc Clyde Fox, Registered Agent 2725 Old Hwy 99 S Mt Vernon, WA 98273

Floyd A. Boyd Attn: Donny Boyd 21600 Hwy 39 Merrill, OR 97633

Irrigation Rentals Kenneth C. Heiber, President PO Box 297 Red Bluff, CA 96080

JW Kems 4360 Hwy 39 Klamath Falls, OR 97603

Northstate Packaging Keith POB 511 Merrill, OR 97633 Rabo Bank Credit Card Accounts Receivable POB 31535 Tampa, FL 33631

Rabo Agrifinance, Inc. Aaron Bixby, Sr. Special Asset Mgr. 12443 Olive Blvd, Suite 50 St. Louis. MO 63141

Rain for Rent Attn: Gil Commercial Trade 5330 Office Center Ct. Bakersfield, CA 93389

RS Energy Accounts Receivable 20915 SW 105th Ave. Tualatin, OR 97062

Sar-Ben Farms PO Box 356 St. Paul, OR 97137

Sheldons Machine Shop Attn: Stacy PO Box 125 Klamath Falls, OR 97601

Solar Heights Enterprises LLC Attn: John Lucas 111 West 52nd Ave. Eugene, OR 97405

Stateline Parts Supply, Inc. Attn: Kathy PO Box 944 Merrill, OR 97633

Volm/Credit Mediators, Inc. Attn: Dan Cartel PO Box 456 Upper Darby, PA 19082

Warnke Farms Dennis Warnke PO Box 256 Ashton, ID 83420 Zupan Farm Partnership Pete Zupan, Owner 9230 Hopedale Ct Portland, OR 97229

#### Lienholders:

Rabo Agrifinance, Inc. 12443 Olive Blvd, Suite 50 St. Louis, MO 63141

John Casey Mills Miller Nash LLP 111 SW 5th Ave Ste 3400 Portland, OR 97204 Of Attorneys for Rabo Ag., Inc.

Cooperative Regions of Organic Producer Pools One Organic Way La Farge, WI 54639

Brandy A. Sargent STOEL RIVES LLP 900 SW 5th Ave Ste 2600 Portland, OR 97204 Of Attorneys for CROPP

Zupan Farm Partnership Pete Zupan, Owner 9230 Hopedale Ct Portland, OR 97229

Justin D. Leonard 111 SW Columbia, Ste 1100 Portland, OR 97201 Of Attorneys for Zupan Farm

Negrevski, Michael & Dai Lene 188 Dahlia St. Klamath Falls, OR 97601

Michael Wayne Grant DOJ Civil Enf Civil Recovery 1162 Court St NE Salem OR 97301

#### **Electronic Mail:**

The foregoing was served on all CM/ECF participants through the Court's Case Management/Electronic Case File system.